

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|----------------------|---|--------------|
| CHARLES LALONDE | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| JOHN RIVELLO, et al. | : | No. 20-3919 |

ORDER

AND NOW, this 1st day of February, 2022, ~~2021~~, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for a writ of habeas corpus is DISMISSED AS UNTIMELY.
3. Petitioner's motion for appointment of counsel is DENIED.
4. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.